

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, this is the controlled substance amendment. Senator Fowler is going to handle this one.

SENATOR FOWLER: This is an amendment we were going to put on on General File and didn't get around to it with this article. Rather than go back to it we just decided to put it on Select File. It was drafted by the Lancaster County Attorneys Office, Bob Gibson a Deputy County Attorney. It deals with trying to make language with regard to confiscation of conveyances involved, primarily automobiles, involved in drug traffic. The Lancaster County Attorneys Office felt that this language is more precise than the language we had before. There have been some problems with interpretation. I would move for its adoption.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature. I'd like to ask Senator Barnett a question. Senator Barnett, we have two intents here, two intentions expressed, one, "in line 10 the vehicle or conveyance intended for use in transporting a controlled substance with the intent to manufacture".

SENATOR BARNETT: Right.

SENATOR CHAMBERS: You mean both had to be proved beyond a reasonable doubt, that you intended to transport with the intent? It couldn't be you intended to transport the substance without perhaps these other things being a part of your knowledge?

SENATOR BARNETT: No, they both have to be in effect.

SENATOR CHAMBERS: That's all I wanted to be sure for the record. Okay. Thank you.

(Senator Savage presiding)

SENATOR SAVAGE: Senator Chambers has his light on yet. Alright. There are no further lights. The question is the adoption of Senator Fowler's amendment to LB 38. All those in favor vote aye. All those opposed vote nay. Record. The amendment is adopted. Senator Simon, for what purpose do you.... Senator Simon, we cannot correct a machine vote the Clerk informs me. You can put in a written explanation if you wish.

CLERK: Mr. President, the next amendment is offered by Senator Barnett. It's found on page 1712 of the Journal.

SENATOR SAVAGE: Chair recognizes Senator Barnett.

SENATOR BARNETT: First of all, Vince, I'd like to ask unanimous consent to withdraw the amendments on page 1509 and 1510, those amendments that are set up there.

CLERK: I assume they are. I don't even have them.

SENATOR BARNETT: That's fantastic. They're printed in the Journal. So we would just ignore them. We have one in there that there will be some people talk about, Senator Koch I believe.